

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Atty. Dkt. No. 065691-0397

Applicant: Bernadette VERNEAU

Title: COMPOSITION FOR ORAL
ADMINISTRATION CONTAINING
CAPSAICINOIDS

Appl. No.: 10/542,406

International Filing Date: 01/16/2004

371(c) Date: 3/29/06

Examiner: Qiuwen MI

Art Unit: 1655

Confirmation Number: 3436

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

[] Please enter and consider the amendment and/or reply previously filed on ____.

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- [] Please consider the Affidavit(s)/Declaration(s) previously filed on __ but not considered.
- [] Please consider the arguments in the Appeal Brief or Reply previously filed on __.
- [] Other __.
- b. Enclosed are:
- [X] Amendment/Reply.
- [] Affidavit(s)/Declaration(s).
- [X] Information Disclosure Statement.
- [X] Form PTO/SB/08 with copies of 11 listed reference(s).
- [] Other .

Miscellaneous:

- [] Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of __ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$810.00	= \$810.00
Total Claims:	20	- 22	= 0	x \$52.00	= 0.00
Independents		- 3	= 0	x \$220.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+ \$390.00		= \$0.00
				CLAIMS FEE TOTAL:	= \$810.00

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- [] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

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[] Extension for response filed within the first month:	\$130.00	0	\$0.00
[] Extension for response filed within the second month:	\$490.00		\$0.00
[] Extension for response filed within the third month:	\$1,110.00		\$0.00
[] Extension for response filed within the fourth month:	\$1,730.00		\$0.00
[] Extension for response filed within the fifth month:	\$2,350.00		\$0.00
	EXTENSION FEE SUBTOTAL:		\$0.00
	EXTENSION FEE ALREADY PAID:	-	\$0.00
	EXTENSION FEE TOTAL		\$0.00
	CLAIMS AND EXTENSION FEE TOTAL:		\$810.00
[X]	Small Entity Fees Apply (subtract ½ of above):		\$0.00
[]	Suspension of action requested under 37 C.F.R. § 1.103(c)		\$0.00
	TOTAL FEE:		\$405.00

A credit card payment form in the amount of \$405.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 12-MAR-2009

By 

FOLEY & LARDNER LLP
Customer Number: 22428
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Rouget F. Henschel
Attorney for Applicant
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